

REMARKS

By this Amendment, claims 1, 7 and 10 are amended merely to clarify the claim scope. Claims 1-12 are pending.

The Office Action rejected claims 1-12 under 35 U.S.C. § 103(a) as being anticipated by Sanmugam (WO 96/15643) and Clarke et al. (U.S. 5,793,752; hereafter “Clark”). Applicant respectfully traverses the rejection because the cited prior art fails to teach or suggest all the features of the rejected claims. For example, the cited prior art fails to disclose, teach or suggest the claimed invention including “starting tracing which comprises sending to the tracer a copy of a signalling message in response to the reception or transmission of a signalling message related to the subscriber to be traced” (claim 1), “the network element is arranged to send to the tracer a copy of signalling messages related to the subscriber in response to the trace command”(claim 7), and “means for sending to the tracer copies of the signalling messages related to the subscriber to be traced” (claim 10), “wherein the copy of the signalling message sent to the tracer is identical to the signalling message of the subscriber.”

Sanmugam merely teaches that signalling may convey information on various mobile activities (column 25, lines 59-60) and that activities are traced. Furthermore, Sanmugam provides registrations, originating calls and terminating calls as examples of activities (column 25, lines 9-10) and registration notification, registration cancellation, remote feature control and cellular subscriber station inactive messages specified in IS-41 as examples of signalling messages. Sanmugam also teaches that an activity is something other than signalling. In other words, Sanmugam clearly teaches that a signalling message does not correspond to an activity. Sanmugam merely teaches to trace activities, whereas the present invention relates to tracing signalling messages; Sanmugam also teaches that an activity is not the same as a signalling message. Thus, Sanmugam fails to teach tracing of signalling messages and therefore fails to teach a claimed feature of sending a tracing command identifying at least one subscriber whose signalling messages are to be traced.

Clarke fails to remedy this deficiency of Sanmugam because Clark merely teaches that upon monitoring, information on the monitored message is stored (Fig 4 in Clarke) and this collected functionality information is sent in a probe report message (column 10, lines 47-50). Thus, Clarke teaches excerpting information from signalling messages and periodically sending this excerpted information. However, this excerption and periodic sending of a subset of message information does not constitute sending a copy of a signalling message in response to the reception or transmission of a signalling message.

In fact, the rejection is based on the erroneous interpretation that an address or a field corresponds to the claimed signalling message. However, such an interpretation goes against a reasonable interpretation of the claimed invention based on the teachings of Applicant's specification. Moreover, Applicant has amended the claims to clarify that the claimed copy of the signalling message is identical to the original signalling message. Thus, Applicant submits that the teachings of the prior art, which relate merely to addresses or fields excerpted from a message are not identical to the original message.

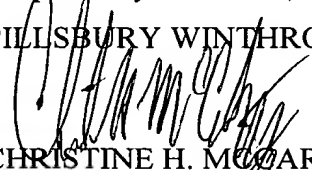
Accordingly, the combined teachings of Sanmugam and Clarke would merely teach that activities of a subscriber station may be traced and that it is also possible to monitor a network node in order to find out functionality existing in that node. However, that is not the claimed invention in which signalling messages relating to a subscriber station may be traced and during tracing, a copy of a signalling message is sent to the tracer.

As a result, the combined teachings of Sanmugam and Clarke fail to disclose, teach or suggest sending, to the tracer, a copy of a signalling message in response to the reception or transmission of a signalling message related to the subscriber to be traced, wherein the copy of the signalling message sent to the tracer is identical to the signalling message of the subscriber. Accordingly, claims 1-12 are patentable over the cited prior art.

All objections have been addressed. If anything further is necessary to place the application in condition for allowance, Applicant requests that the Examiner contact Applicant's undersigned representative at the telephone number listed below. Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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